# HIGH COURT OF CHHATTISGARH AT BILASPUR

## WRIT PETITION (S) No. 2783 of 2007

**PETITIONER** : Smt. R.A.Labhsetwar Wife of Shri Anand Labhsetwar, aged about 63 years, Retired A.N.M. Resident of Village Lalitpur, Post Patela, Tahsil and Police Station Sitapur, District Surguja (C.G.)

**VERSUS**

**RESPONDENTS** :
1. State of Chhattisgarh, Through: The Secretary, Department of Health and Family Welfare, D.K.S. Bhawan, Raipur (C.G.).
2. The Chief Medical and Health Officer, Ambikapur, District Surguja (C.G.)
3. The Block Medical Officer, Community Health Centre Sitapur, District Surguja, (C.G.)
4. The Senior Account Officer, office of the Accountant General Chhattisgarh, Raipur (C.G.)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA.

**Single Bench : Hon'ble Justice Shri Satish K. Agnihotri.**

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Present: Shri V.K.Pandey, Advocate for the petitioner.
Miss Sunita Jain, Panel Lawyer for the State / respondent No. 1 to 3.
Mr. S.K.Beriwal, Advocate for the respondent no. 4.

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**ORDER**
(Passed on 7th day of May, 2007)

1. Learned counsel appearing for the petitioner submits that the petitioner, while working on the post of A.N.M., retired from the services on 31.03.2004 on attaining the age of superannuation. As per her pass book, the total G.P.F. amount payable was Rs. 3,15,960/-. The respondent no. 4 has paid a sum of Rs. 2,27,822/- and the remaining 88,138/- has not been paid to her. The petitioner was replied vide letter dated 14.03.2005 (Annexure P/4) without stating the reasons, that the payment cannot be made on the basis of

(42)

entries in pass book. This appears to be strange. The pass book entry is prima facie an authenticated document indicating the payment, withdrawal etc. A copy of the same is also retained by the office of the Accountant General. The letter dated 14.03.2005 appears to be cryptic and vague. The petitioner has made a detailed representation vide letter dated 14.06 .2005 (Annexure P/5) which is still pending and it has not been replied so far.

2. In view of the above, the respondent no. 4 is directed give the reasoned reply and to pass the reasoned order in accordance with law, on its own merit on the representation dated 14.06.2005 (Annexure P/5) pending before the respondent no. 4.

3. In view of the foregoing, this petition stands disposed of with a direction to the respondent no. 4 to decide the representation of the petitioner within a period of two months. No order as to costs.

**Sd/-**
**Satish K. Agnihotri**
**Judge**

Amit